



State of Connecticut

SENATE

SENATOR DANTÉ BARTOLOMEO

Thirteenth District

Dear Senator Coleman, Representative Fox and members of the Judiciary Committee,

I am asking for your support of **Raised Bill No. 5484. An Act Concerning The Claim Against The State For The Town of Cheshire.**

Cheshire is host to the second largest prison complex in the State of Connecticut. The complex is currently comprised of two facilities. The first is the Cheshire Correctional Institution which was designed in 1982 and currently houses 1,349 inmates and 428 staff. The second is the John R. Manson Youth Institution which also opened in 1982 and currently houses 399 inmates and 283 staff.

The current contract between the Town of Cheshire and the State of Connecticut regarding wastewater flow from the complex pre-dates the expansion of the prison in 1990. While it addressed the needs at that time, much has changed and the prison has been sending more wastewater to Cheshire's water treatment plant than the old contract allows. Cheshire's agreement with the DOC has daily flow permitted at 350,000 gallons per day, but the complex's daily flow has averaged more than 450,000 gallon per day.

Therefore, last year we passed legislation allowing the town of Cheshire the opportunity to renegotiate its contract with the State of CT's Department of Corrections. We did so because Cheshire was the only community that had not been able to renegotiate with the State as their facilities aged and conditions changed over time. This was a matter of fairness. While the State has been exceeding the contracted flows by at least 100,000 gallons a day and using up vital plant capacity, it has not been paying a surcharge under the current agreement. In addition, about five years ago the Town of Cheshire reached 90% of plant capacity and had to conduct a very expensive and time consuming expansion/capacity study, which is said to be a direct result of the prison's excess flows. A new contract could allow Cheshire to recoup some of the increased cost of treating that wastewater by working OPM and DOC to amend their contract.

Unfortunately, repeated efforts by the Town of Cheshire to renegotiate a successor agreement with the State Department of Corrections (DOC) and the Office of Policy and Management (OPM) have not been successful.

Therefore, as a member of Cheshire's Legislative Delegation, I support HB 5484 as it will allow a claim to be submitted to the Claims Commissioner after the time limitations (one year) have lapsed. This bill, if passed, would allow the Town to make a claim for the eight years of back billing totaling \$1,453,607.30 for the prisons' excess burden on the wastewater treatment plant system.

Thank you in advance for your consideration.